

## Mr. Clark's original Ethics Complaint

The original complaint pointed to the post below as supposed evidence that I operated an STR during 2016. However, the host, Hope, is not associated with me or my wife [REDACTED]. While we operated a licensed STR, we decided not to renew our license in April of 2015. Mr. Clark amended his complaint last night to point to the correct Airbnb profile which shows no rentals after March of 2015, several months before Council took up the STR issue.

Become a Host

Messages

Help



## Hey, I'm Hope!

US • Member since July 2014

Report this user

11 Reviews

### Verifications

- Phone number 99
- Reviewed 11 Reviews

### Listings (1)



Eastside Artist's Cottage  
Haskell Street, Austin

### Reviews (11)

#### Reviews From Guests



Adam

My wife and I stayed at Hope's lovely abode for 3 nights while in town for SWSX. It's a great location in East Austin and walkable to many of the areas hotspots. It was the perfect spot for enjoying all of Austin yet far enough away from too much craziness. Hope was very responsive to any questions we had while we were there. It's definitely a quirky place with lots of character. My only two complaints would be the lack of wi-fi (but it's really close to two cool coffee shops) and a small shower. Other than that it was a great experience. Thanks Hope!

From Chicago, IL • March 2016



Christian

I'm the luckiest guy at SXSW! Hope is not just friendly, she's like go out of your way to make sure you're cool friendly. She's Insanely awesome. Her place is just plain rad. If you're into music - and if you're coming to Austin and you're not into music WTF are you doing there? - her pad has both kitch and class. It's fun, it's comfortable. On a scale of one to ten, she's a one thousand and so's her place.

From Washington, DC • March 2016



We love this area- it has great access to town lake, downtown, and many places on the east side.

From Midland, TX • January 2016

SECTION OF CHARTER OR ORDINANCE VIOLATED: City Code, Chapter 2-1, Section 2-1-24

DATE OF ALLEGED VIOLATION: Beginning 2015 with first City Council deliberations of amendments to Austin's Short Term Rental ordinances, continuing with City Council votes in late 2015 and upcoming City Council votes in 2016 regarding the ordinances (next scheduled for Tuesday, February 23, 2016).

## The questions at hand:

1.) Whether I should have  
recused myself from voting  
on STR-related issues.

2.) Whether or not I currently  
have a license and pay hotel  
occupancy taxes.

In short, CM Renteria owns and operates a short term rental in Austin, as disclosed in his Statement of Financial Information disclosure filed in connection with his election to the City Council (attached). Yet, for eight months Council Member Renteria has voted, spoken and held policy-making meetings regarding the restrictions of Type II Short-term Rentals in Austin. These discussions, votes and meetings have directly impacted Type II Short-term Rental activity, and have resulted in policy discussions and votes to phase out Type II Short-term Rentals. During these votes, discussions and meeting Council Member Renteria has regularly disclosed that he is the owner and operator of a Type I Short-term Rental (in the public records of City Council meetings).

Council Member Renteria's Type I Short-term Rental is a different type of rental and his votes, meetings and discussions directly benefitted his rental activity and income potential to the detriment of the owners and operators of Type II Short-term Rentals.

Council Member Renteria should have recused himself from all these discussions and votes and should recuse himself from the pending proceedings due to his financial conflict of interest.

Furthermore, CM Renteria does not have a short term rental Type 1 license which is required by Austin Code. We also checked the City's website regarding the records of hotel occupancy tax payments. He has not filed or paid occupancy taxes as required by Austin during the period where he stated that he derived material earnings from his short term

rental activity. So, CM Renteria is voting on changes to Austin Code for which he is not compliant and has violated.

In his conflicted STR votes and discussions, CM Renteria moved to restrict all types of STRs, other than his own. He also steered the Council away from regulations that would restrict his Type 1 rental.

June 11, 2015

<http://www.statesman.com/news/news/local/council-members-call-for-short-term-rental-code-en/nmbNb/>

In June '15, only weeks after CM Renteria rented his ADU for SXSW '15, the CM Renteria raised concerns about short-term rentals, and supported 22 new provisions in the city's ordinance as well as a year long moratorium on new Type 2 short-term rentals (which he later voted to make permanent).

August 17, 2015

CM Renteria participates on Council Planning and Neighborhoods Committee that puts forward more than a dozen recommendations against short term rentals.

Video transcript of the proceeding: <http://austintx.swagit.com/play/08172015-738/0/>

Minutes: <http://www.austintexas.gov/edims/document.cfm?id=238620>

At 2:30AM CM Renteria specifically asks for deferment on Tovo's recommendation to change existing

In his presentation, Mr. Clark gives us an exact timeline of Council's decision making process. In his own slides, he shows that Council did not begin STR discussions until June of 2015.

In a separate slide, we clearly see that my STR Type 1 license expired early in April of 2015. Thanks to Mr. Clark's slides we can see there was no overlap between Council discussions on STRs and my STR license term .

FOLDER DETAILS										
Permit/Complaint	Case Number	Description	Sub Type	Work Type	Project Name	Status	Application Date	Issue Date	Expiration Date	
2014-035087 OL			Short Term Rental Type 1		Eastside Cottage Unit 2	Expired	Apr 7, 2014	Apr 10, 2014	Apr 10, 2015	Related Folders: No

PROPERTY DETAILS										
Number	Pre.	Street	Street Type	Dir	Suite Type	Suite Number	City	State	Zip	Legal Desc
Lot: 5 Block: 1 Subdivision: MAGNOLIA ADDITION										

PEOPLE DETAILS					
Desc.	Organization Name	Address	City	State	Postal Phone1
Billed To					

FOLDER FEE			
Fee Description	Fee Amount	Balance	
Notification/Renotification	\$50.00	\$0.00	
Operating Licenses Fee	\$235.00	\$0.00	

PROCESSES AND NOTES								
Process Description	Status	TOD	Schedule Date	Start Date	End Date	Assigned Staff	# of Attempts	
Notification Team	Closed		Apr 10, 2014	Apr 24, 2014	Apr 24, 2014	Rosa Cervantes (512-974-6422)	1	
Lodging Annual Inspection	Open					Marcus Elliott (Cashier) (512-974-1951)	0	

Back

14 Reviews ★★★★★

Summary

Accuracy

★★★★★

Location

Communication

★★★★★

Check In

Cleanliness

★★★★★

Value

Every date Mr. Clark shows in his  
AirBnB slide falls within the dates that I  
had an STR License.  
(April 2014 - early April 2015)



Erin

The cottage was in a great location a couple blocks away offered a warm welcome to the property, and we were surprised to find a well-stocked kitchen fridge and cup everything a traveler might need to make the stay more [redacted] shared some great tips on where to find the best helpful maps and other materials to guide us around Au

November 2014



Awesome overall experience, beautiful home and the n hosts. Ten minute walk to east 6th street.

November 2014

Case Number	Description	Sub Type	Work Type	Project Name	Status	Application Date	Issue Date	Expiration Date
	Short Term Rental Type 1			Eastside Cottage - Unit 2	Active	Apr 7, 2014	Apr 10, 2014	Apr 10, 2015
Related Folders: No								
Street Type	Dir	Suite Type	Suite Number	City	State	Zip	Legal Desc	
							Lot 5 Block: 1 Subdivision: MAGNOLIA ADDITION	

[redacted] and Pio were great. They couldn't have been better house was clean and they even left some chicks and dri We would stay with them again next time we are in Au

October 2014



Response from [redacted]  
Thanks Mike. Come again, anytime. [redacted] and I

October 2014



Bennie

Nice location, super convenient. Host were welcoming, stay here again. Thanks again!

September 2014



Response from [redacted]  
Thanks, Bennie. Come back soon! Pio and [redacted]

To show that I had a license and paid my taxes for the ONLY two times I rented out my STR in 2015 I have included below:

1) My AirBnB activity summary for 2015 and

2) A copy of the check I wrote to the City for my 2015 hotel occupancy tax obligations.

Invite Friends (<https://www.airbnb.com/invite?r=5>)

Completed Transactions Future Transactions Gross Earnings

Paid out: \$3,734

Export to CSV (/transaction\_history/csv/1643368?year=2015&page=1)

All payout methods - All listings - 2015 -  
All months -

Date	Type	Details	Amount	Paid Out
03/28/2015	Payout	Transfer to ACH: [REDACTED]		\$291
03/28/2015	Reservation	Mar 27 - 29, 2015 NQ8W2E (/reservation/itinerary?code=NQ8W2E) Charles Boyd SXSX Cottage - Smoking allowed!	\$291	
03/13/2015	Payout	Transfer to ACH: [REDACTED]		\$3443
03/13/2015	Reservation	Mar 12 - 19, 2015 2MHMA4 (/reservation/itinerary?code=2MHMA4) Ken Ishizuka SXSX Cottage - Smoking allowed!	\$3443	

SABINO RENTERIA 06-77223148 3560 ✓  
4/20 2015  
City of Austin \$ 336.<sup>00</sup>  
Three hundred thirty six and 00/100 -  
AMPLIFY FEDERAL CREDIT UNION  
P.O. BOX 9826  
AUSTIN, TEXAS 78768  
(512) 830-5591  
000000921456  
[REDACTED]  
CITY OF AUSTIN  
FED. CO. COLLECTIONS  
(990075115)